

**REMARKS/ARGUMENTS**

In response to the Final Office Action dated April 11, 2005, claims 14, 16, 17, 19 and 25 are amended, claims 12, 13, 18, 20-24 and 26-31 are canceled. Claims 1-11, 14, 16, 17, 19 and 25 are now active in this application. No new matter has been added.

The indication that claims 1-11 are allowable, and that claims 16 and 17 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims is acknowledged and appreciated.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH**

Claims 28 and 29 are rejected under 35 U.S.C. §112, first paragraph, as based on a disclosure which is not enabling.

The rejection is moot as to cancelled claims 28 and 29.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103**

I. Claims 12-15 and 18-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Maurer et al. (USPN 6,580,811).

The rejection is moot as to cancelled, claims 12, 13, 18, 20 and 21.

To expedite prosecution, claim 14 is amended to be in independent form and to clarify the description. Thus, according to the invention recited in amended claim 14, some of control points for moving first construction points included in a first standard model are defined as control points for moving second construction points included in a second standard model. Accordingly, the second standard model can be modified in line with modification of the first standard model and improper modification can be prevented. Maurer et al. fails to describe that

some control points are shared between the first standard model and the second standard model to move construction points of the first standard model and of the second standard model in association with each other. Thus, amended independent claim 1 is patentable over Maurer et al. The characteristics described in claim 14 cannot be easily achieved.

To expedite prosecution further, claim 19 is amended to be in independent form and to recite steps corresponding to the functions recited in amended independent claim 14. Thus, amended independent claim 19 is patentable over Maurer et al. for reasons similar to why amended independent claim 14 is patentable over Maurer et al.

**II.** Claims 22-25, 27, 30 and 31 are rejected under 35 U.S.C. § 102(e) as being anticipated by Maurer et al.

The rejections are moot as to cancelled claims 22-24, 27, 30 and 31.

To expedite prosecution, claim 25 is amended to be in independent form including all the limitations of claim 24. Thus, according to the invention recited in amended claim 25, which is directed to a device for modifying a three-dimensional standard model based on measurement data to generate a three-dimensional model, a standard model is modified based on whole measurement data, and then, the standard model is modified based on measurement data for each partial area. Accordingly, a three-dimensional model can be conformed to an object without topical improper modification. Such characteristics are not described in Maurer et al. Thus, amended independent claim 25 is patentable over Maurer et al.

**III.** Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Maurer et al.

The rejection is moot as to cancelled claim 26.

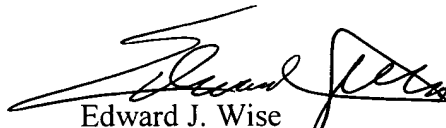
**CONCLUSION**

Accordingly, it is urged that the application, as now amended, overcomes the rejection of record and is in condition for allowance. Entry of the amendment and favorable reconsideration of this application, as amended, are respectfully requested. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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